

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
WINNICKA	)	Art Unit: 1793
	)	
Application No. 10/526,480	)	Examiner: Kessler, Christopher S.
	)	
PCT Filing Date: September 4, 2003	)	Confirmation No. 1082
§ 371 Filing Date: March 4, 2005	)	
FOR: METHOD OF FORMING NON-SAG	)	
MOLYBDENUM-LANTHANA	)	
ALLOYS	)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &  
INGERSOLL, LLP  
Customer No. 23859

December 30, 2008

Dear Sir:

Claims 1-17 of the present application having been twice rejected, Applicant hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 30, 2008.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the non-final rejection:  
(a) ☐ was obtained for \_\_\_\_\_ month(s).  
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.
2. A credit card payment is submitted herewith *via* EFS Web in the amount of \$1,650.00. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

**ATTORNEY DOCKET NO. 07194.0101U1**  
**APPLICATION NO. 10/526,480**

- ☒ Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$540.00 for a large entity.
- ☒ Extension of time fee amount pursuant to 37 C.F.R. § 1.17(a)(3) = \$1,110.00 – three month extension of time fee.

Respectfully submitted,

BALLARD SPAHR ANDREWS &  
INGERSOLL, LLP

/Kevin W. Hathcock/  
Kevin W. Hathcock  
Registration No. 52,998

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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person (Print/Type)	Kevin W. Hathcock		
Signature	/Kevin W. Hathcock/	Date	December 30, 2008